

# **SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL**

**APRIL 7, 2014**

**KENDALL-DEAN SCHOOL AUDITORIUM**

**7:00 P.M.**

The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mr. Yazbak, Mr. Zwolenski and Mr. Flaherty. Mr. McGee was unable to attend due to another commitment. Also in attendance were Town Administrator Hamilton and Town Solicitor Lombardi.

## **LOCAL ROAD CONDITIONS AND REPAIR ANALYSIS**

Mr. Flaherty noted that \$200,000 is in this year's budget for road resurfacing. The cost of the engineering report is \$25,000, leaving a balance of \$175,000. There will be a ballot question in November to appropriate approximately \$2.2 to \$2.5 million for additional overlay.

The firm of Joe Casali Engineering, Inc. prepared a report based upon an evaluation of roadway conditions throughout the town. There were approximately 66.58 miles of local roads inspected and they were ranked into ten different categories ranging from new to failed. Five roads were considered to be the worst -- Carlton Avenue, Grange Road, Martha Road, Mowry Avenue and Old Great Road. Approximately thirty roads could be resurfaced for the \$2.5 million.

Traffic volume was not used in the evaluation.

**To do all the roads in town could cost upwards of \$5 million. With any additional funding the report could be expanded to address catch basins and pipes.**

**Mr. Michael Clifford was skeptical of the number of roads that could be redone for the proposed dollar amount. He felt it would be more likely to be in the \$5 million range to do the streets ranked six to nine.**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on an aye vote to accept the analysis as presented.**

**AWARD OF BID FOR ROAD MATERIALS**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to award the bid for the following road materials to Material Sand & Stone Corporation based upon the recommendation of the Director of Public Works.**

<b>Washed Sand</b>	<b>\$13.70 per ton</b>
<b>Processed Gravel</b>	<b>10.82 per ton</b>
<b>Loam - Regular</b>	<b>13.00 per cubic yard</b>
<b>Screened</b>	<b>15.72 per cubic yard</b>
<b>Crushed Stone 3/8"</b>	<b>13.95 per ton</b>
<b>Crushed Stone 3/4"</b>	<b>13.70 per ton</b>
<b>Crushed Stone 1 1/2"</b>	<b>13.70 per ton</b>
<b>Gravel Bank Run</b>	<b>10.50 per ton</b>
<b>Stone Dust</b>	<b>12.20 per ton</b>

## **RI DEPT. OF EDUCATION APPLICATION FOR SCHOOL REIMBURSEMENT ELIGIBILITY**

**Robinson Green Beretta Corporation (RGB) has submitted a proposal for completing the Stage I application to the Rhode Island Department of Education to determine eligibility of reimbursement for the proposed upgrade to school facilities. Total cost is \$7,000.**

**Mr. Flaherty was going to propose using the Contingency Infrastructure Fund for payment; however, there is a balance in the account of only \$1,950.00. RGB has agreed to accept the \$1,950.00 this year with the balance due in the next fiscal year.**

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**MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted 3 to 1 on a roll call vote (Ms. Alves voted no) to approve \$1,950.00 for RGB based upon their good faith effort.**

## **LEASE AGREEMENT WITH NORTH SMITHFIELD HERITAGE ASSOCIATION**

**Ms. Hamilton noted that the School Department no longer wants custody of the Forestdale School Building.**

**Mr. Lombardi stated he has prepared a five-year lease and ninety days' notice is needed for either party to terminate the lease. Otherwise it automatically renews.**

**Mr. Zwolenski asked if there was any written understanding from the School Department relinquishing control of the building.**

**Ms. Hamilton responded she does have that.**

**Mr. Yazbak always thought there was a problem with the deed and wanted to be sure the town owns the property before entering into an agreement to rent it.**

**The matter was continued until the Solicitor has time to review the deed.**

## **PUBLIC FACILITIES ADVISORY TASK FORCE PROPOSALS**

**The town's fiscal advisor has recommended not extending the bond to more than \$12 million so there has been discussion on how to scale back the facilities proposal to approximately \$9.5 million and the road resurfacing to \$2.5 million.**

**Mr. Michael Clifford encouraged the Town Council to split the question into two or three separate issues. He is concerned with unfunded capital budget requests and would like to take a step back**

and review fiscal numbers and the impact. Mr. Clifford feels health and safety issues are more important than storage at Halliwell School.

**MOTION by Ms. Alves, seconded by Mr. Zwolenski, and voted 4 to 0 on an aye vote to close the public hearing.**

**MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to accept in substantial form the Public Facilities Advisory Task Force recommended facilities plan dated April 3, 2014.**

**MOTION by Mr. Zwolenski, seconded by Mr. Yazbak, and voted 3 to 1 on a roll call vote (Ms. Alves voted no) to approve the following resolution and to authorize the Town Council president to sign it:**  
**“WHEREAS, the Town of North Smithfield has buildings that need capital improvements, and WHEREAS, the Town of North Smithfield is in the process of reassigning space within both the Municipal and School Department, and WHEREAS, the Town Council authorized a Public Facilities Advisory Task Force Committee (PFATF) to study the needs and best uses of the facilities of the town, and WHEREAS, the PFATF issued a recommendation for the repair, renovation, consolidation and re-use of various town and school buildings, and WHEREAS, such recommended plan was presented to residents at Public Hearings on 2/18/14 and 3/3/14, and WHEREAS, the Town Council consulted its fiscal advisor regarding an appropriate level of bonded indebtedness to repair and rehabilitate both Town and School**

Department Buildings and local road repairs, and WHEREAS, up to forty percent of the debt service for certain investments in the renovation and improvement of the school department buildings would be reimbursed by the State of Rhode Island, and WHEREAS, a town-commissioned engineering study of local road conditions has identified priority repairs in the approximate amount of \$2,500,000. NOW, THEREFORE, BE IT RESOLVED, that the Town of North Smithfield hereby authorizes and requests the General Assembly to enact legislation authorizing the Town of North Smithfield, with approval of the qualified electors of the Town of North Smithfield, to issue bonds and notes in an amount not to exceed \$12,000,000 for the purpose of financing the repair and rehabilitation of town and school buildings and road infrastructure in accordance with the Town Council approved plan for same.”

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## **BRANCH VILLAGE REDEVELOPMENT PLAN**

This redevelopment plan began in 2007 and calls for one million square feet of development in the Branch Village district.

Chairman of the Redevelopment Agency, Scott Gibbs, spoke about three areas - what the Branch Village Redevelopment Plan is all about, a summary of problems and opportunities and recommended actions.

**Motives are to advance an expanded fiscal base; expand a local/regional job base for the workforce; creating a “sense of place” that retains residents and attracts new residents.**

**A lot in terms of planning has already been done. A redevelopment vision has been developed and adopted by the town. There have been analyses of buildout, fiscal impact and transportation. New zoning districts have been adopted making it possible for new commercial, office, industrial and residential space.**

**Some of the difficulties include the high unemployment, falling labor participation rates, population outmigration, declining family income and declining volume of economic development “deals”.**

**Companies are looking to lower overhead costs and are allowing a mobile workforce -- employees who work at home. There has been a rise in the 1099 workforce. Companies are increasingly not building factories in China because of a rise in labor costs, shipping, etc. They are beginning to invest here at home.**

**Mr. Gibbs stated the keys to success are infrastructure, utilities, parking, roads and streetscape improvement. Strategic investment in infrastructure sends a message to businesses.**

**Sewers must be extended in the redevelopment area. Roadways must be upgraded. Redevelopment can be jumpstarted by**

**marshaling an anchor project.**

**Mr. Gibbs believes the town needs to initiate a partnership with the Rhode Island Department of Transportation. The Sewer Commission and the Redevelopment Agency need to devise a funding strategy for the Phase II, Alternate 2 sewer improvement. The Redevelopment Agency, in partnership with the Town Council and Administration, need to secure designation of a redevelopment district as a tax increment financing district. A strategy must be developed to advance an anchor project within a redevelopment district.**

**Mr. Flaherty commented there are substantial funds sitting in the Sewer Enterprise Fund that are doing nothing. The town needs to look at those funds to make a town investment in economic growth. He suggested that a new sewer assessment model may need to be developed.**

**Ms. Hamilton notified the Council that she has contacted the Rhode Island Clean Water Protection Agency and the town has been approved for \$3 million for the project.**

## **ZONING ORDINANCE AMENDMENT RE: SECTION 5.5.3 LAND UNSUITABLE FOR DEVELOPMENT**

**Town Planner Robert Ericson explained that this ordinance was assumed to have been passed in 2006 but it never went to a final vote. This ordinance is the same as the original except for an item**



referencing slopes greater than twenty percent which are no longer allowed per state law.

**MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted 4 to 0 on an aye vote to close the public hearing.**

**MOTION by Mr. Flaherty, seconded by Mr. Yazbak, and voted 4 to 0 on a roll call vote to accept the ordinance for a second reading and passage as presented.**

**ZONING ORDINANCE AMENDMENT RE: SECTION 5.7  
GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS**

**The following language was added after the first reading to Section (g)(3): “Any cost unrecoverable from the owner and operator shall be**

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**the responsibility of the land owner.” There was discussion about the pros and cons of leaving that particular sentence in the ordinance.**

**MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted 4 to 0 on an aye vote to close the public hearing.**

**MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to amend the draft to remove the red text in Section**

**(g)(3): “Any cost unrecoverable from the owner and operator shall be the responsibility of the land owner.”**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to accept the ordinance as amended for a second reading and passage.**

### **APPOINTMENT TO ECONOMIC DEVELOPMENT COMMISSION**

**Ms. Hamilton nominated Roberto Barrera.**

**MOTION by Ms. Alves, seconded by Mr. Yazbak, and voted 4 to 0 on a roll call vote to accept Ms. Hamilton’s nomination of Roberto Barrera to the Economic Development Commission. This is a five-year term that will expire on December 1, 2016.**

### **APPOINTMENT TO PERSONNEL BOARD**

**There was no appointment.**

### **CONTRIBUTION TO DECA**

**Ms. Hamilton had received a ruling from Representative Newberry that legislation is required to enable a Town Council to make contributions on behalf of taxpayers.**

**Mr. Flaherty felt this might be an issue of semantics. His sense is that things that have been contributed to may normally be part of a municipal or school department budget.**

**Ms. Alves felt school-related requests should be part of the school department budget.**

**Mr. Yazbak commented that donations to entities such as Senior Services provide a service to town residents at a lower cost than if the town were to run a senior center.**

**Mr. Yazbak suggested bringing forth a resolution to have legislation introduced authorizing North Smithfield to make certain contributions.**

**MOTION by Mr. Zwolenski, seconded by Mr. Yazbak, and voted 4 to 0 on a roll call vote to appropriate \$500.00 for DECA.**

## **EXECUTIVE SESSION**

**MOTION by Ms. Alves, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to enter into executive session at 9:35 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining or litigation to discuss a settlement with National Marker Re: Sewer Rebate.**

**MOTION by Ms. Alves, seconded by Mr. Yazbak, and voted 4 to 0 on a roll call vote to come out of executive session at 9:52 P.M.**

## **NATIONAL MARKER SETTLEMENT**

**MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote that the settlement agreement as outlined and drafted by the Town Solicitor be accepted and the Town Administrator be authorized to sign it.**

**MOTION by Ms. Alves, seconded by Mr. Zwolenski, and voted 4 to 0 on an aye vote to adjourn at 9:53 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**